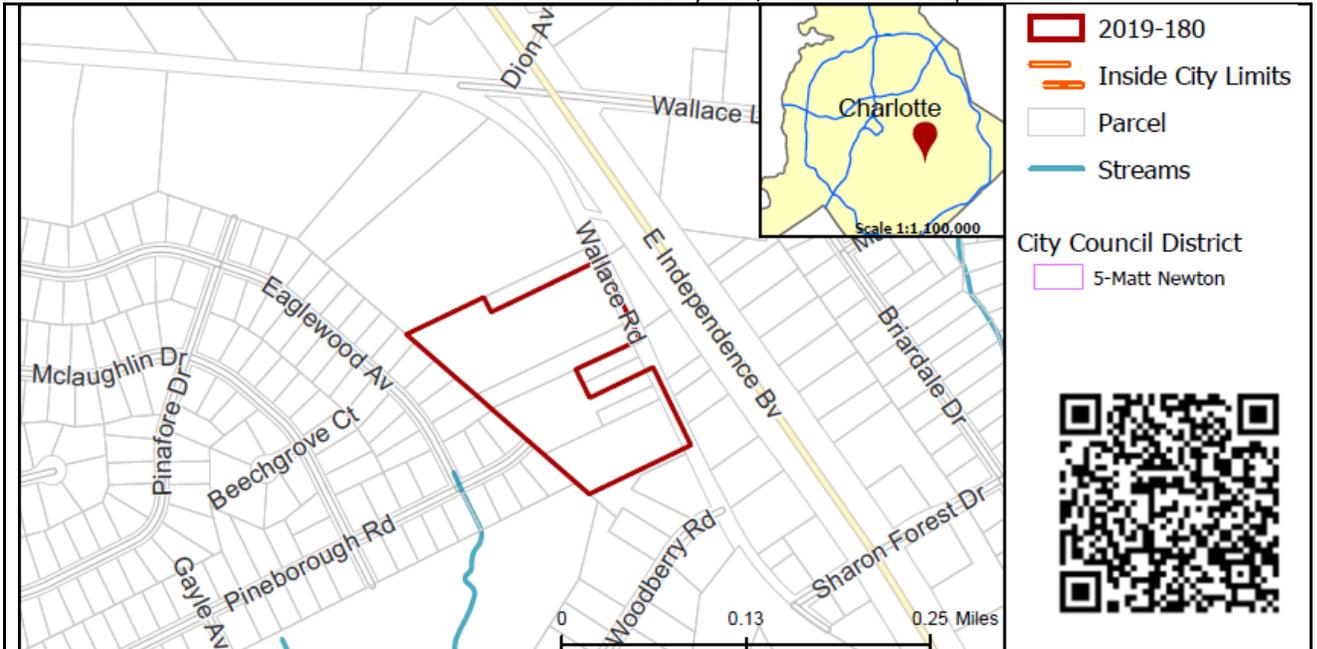


**REQUEST**

Current Zoning: R-3 (single family residential) & UR-2(CD) (urban residential, conditional)  
Proposed Zoning: UR-2(CD) (urban residential, conditional) & UR-2(CD) SPA (urban residential, conditional, site plan amendment)

**LOCATION**

Approximately 9.2 acres located on the west side of Wallace Rd, north of Woodberry Rd., west of E. Independence Blvd.



**SUMMARY OF PETITION**

The petition proposes to redevelop 5 single family homes and vacant land for a multi-family development with up to 201 dwelling units, for a density of 22 dwellings per acre (DUA).

**PROPERTY OWNER  
PETITIONER  
AGENT/REPRESENTATIVE**

Rosegate Holdings, LLC  
Josh Jolley – Rosegate Holdings LLC  
Paul Pennell – Urban Design Partners PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 5

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of requested technical revisions related to site plan label and transportation notes.

Plan Consistency

The petition is **inconsistent** with the *Independence Boulevard Area Plan* recommendation for residential development up to 12 units per acre for the northern portion of the site and **consistent** with the Plan's recommendation for residential development up to 22 units per acre for the southern portion of the site as amended by petition 2019-074.

Rationale for Recommendation

- The subject site is over a ½ mile walk from the nearest proposed LYNX Silver Line transit station but located within 190 feet of the

proposed transit alignment. Therefore, the site is not appropriate for transit-oriented development; but moderate density multi-family development is appropriate with the site's location along the future rail corridor.

- The site is located within the Southeast Corridor per the *Centers, Corridors, Wedges Growth Framework*. Corridors are areas recommended for moderate intensity multi-family uses.
- The site is located within a ½ mile walk to bus stops/routes along Monroe Road and Independence Boulevard.
- The proposed density of 22 units per acre is consistent with other multi-family developments north of the site on Wallace Road and Wallace Lane in office zoning that exist at comparable densities.
- The site and proposed development provide a transition in land use types and intensity from the commercial uses along Independence Boulevard and Wallace Road to the single family uses west of the site.
- The site plan combines an area previously zoned for multi-family residential with the only other large vacant parcel fronting this portion of Wallace Road for a unified multi-family development.
- The plan extends Pineborough Road and stubs to the northern most property line and provides connectivity through the site to Wallace Road with a public access easement.
- The site plan provides development conditions that reduce impacts to abutting single family homes through the limitation of building heights, provision of buffers, and provision of building envelopes that ensure building sides face single family homes and buildings are located adjacent to existing or proposed streets away from the single family homes.

The approval of this petition will revise the adopted future land use as specified by the *Independence Boulevard Area Plan*, from residential at 12 DUA to residential at 22 DUA for the northern portion of the site.

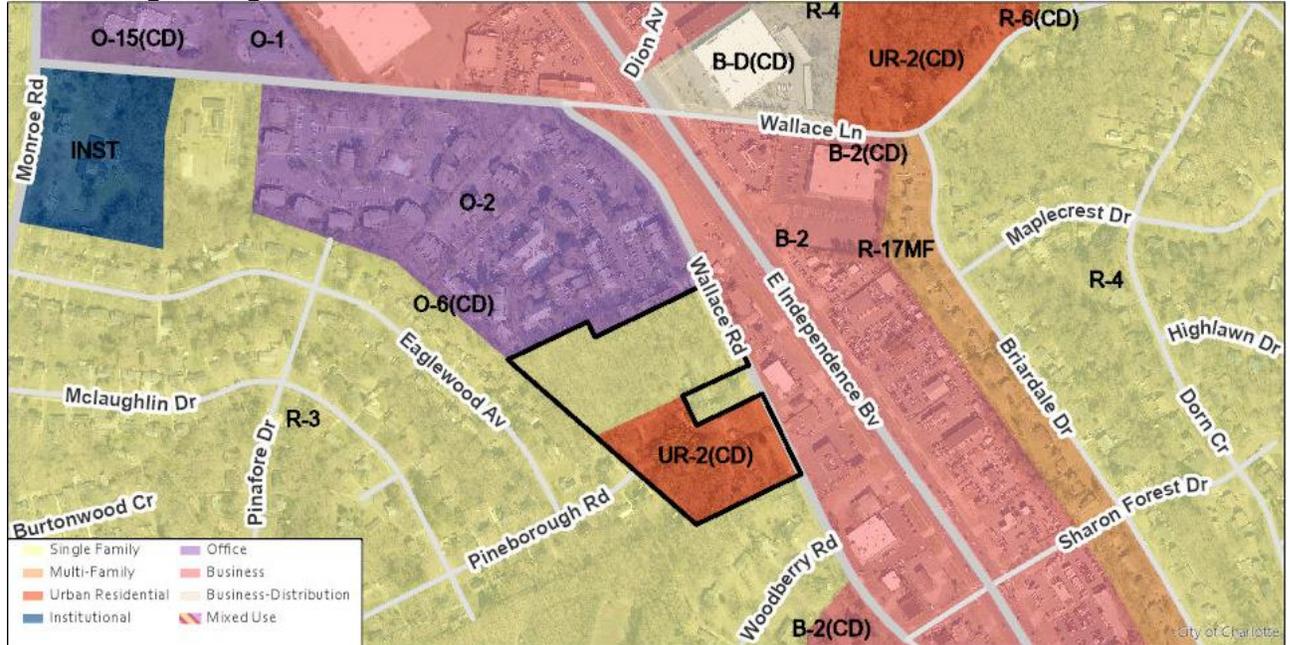
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows the construction of up to 201 multi-family units (22 DUA) in 8 buildings.
- Minimum of 14 units shall maintain monthly rents at or below 80% AMI levels for a period of not less than 15 years from the certificate of occupancy of the unit's associated building.
- Shows 5 development envelopes on the site. Development areas 1, 4 and 5 allow multi-family buildings, parking and open and amenity spaces. Areas 2 and 3 allows tree save, open space and/or stormwater facilities.
- Limits the maximum building height to 3 stories and a maximum of 40 feet as defined by the Ordinance.
- Provides buffers adjacent to surrounding single family dwellings.
- Provides site cross-sections illustrating the relationship to nearest abutting single family homes.
- Commits to a minimum of 50% of the frontage of Wallace Road to be composed of building walls, architectural elements, pedestrian scale masonry walls and/or open space.
- Provides a number of architectural standards related to building orientation, allowed building materials, limits on blank walls, façade articulation, raised entrances from adjacent public sidewalks, and balconies.
- Provides a minimum of 15,000 square feet of amenity/common open spaces areas distributed throughout the site.
- Commits to provide a pedestrian sidewalk connection to Mason Wallace Park, location to be determined in cooperation with Park and Recreation during permitting.
- Extends Pineborough Road as required by the Subdivision Ordinance. Provides access to the site via two drives connecting from Wallace Road to the extension of Pineborough Road. Provides public access easement along the southern drive.
- Provides transportation improvements related to dedication of right-of-way along Wallace Road, 8-foot sidewalks along the internal private street, Pineborough Road extension and Wallace Road, associated curb/gutter and 8-foot planting strips along Pineborough Road extension and the private street, a 14-foot planting strip along Wallace Road, and associated curb and gutter.

• Existing Zoning and Land Use



The area around the site (indicated by red stars below) is developed with a mixture of uses including commercial along Independence Boulevard and east side of Wallace Road, multi-family uses in office zoning along Wallace Road north of the site, and single family uses off Pineborough Road, Wallace Road, and Woodberry Road. Mason Wallace Park is located to the southwest of the site.





The subject is developed with small houses and vacant land.



East of the site, across Wallace Road are commercial uses fronting on both Wallace Road and Independence Boulevard.



South of the site are single family homes fronting Woodberry Road.



West of the site are single family homes fronting Pineborough Road and Eaglewood Road.

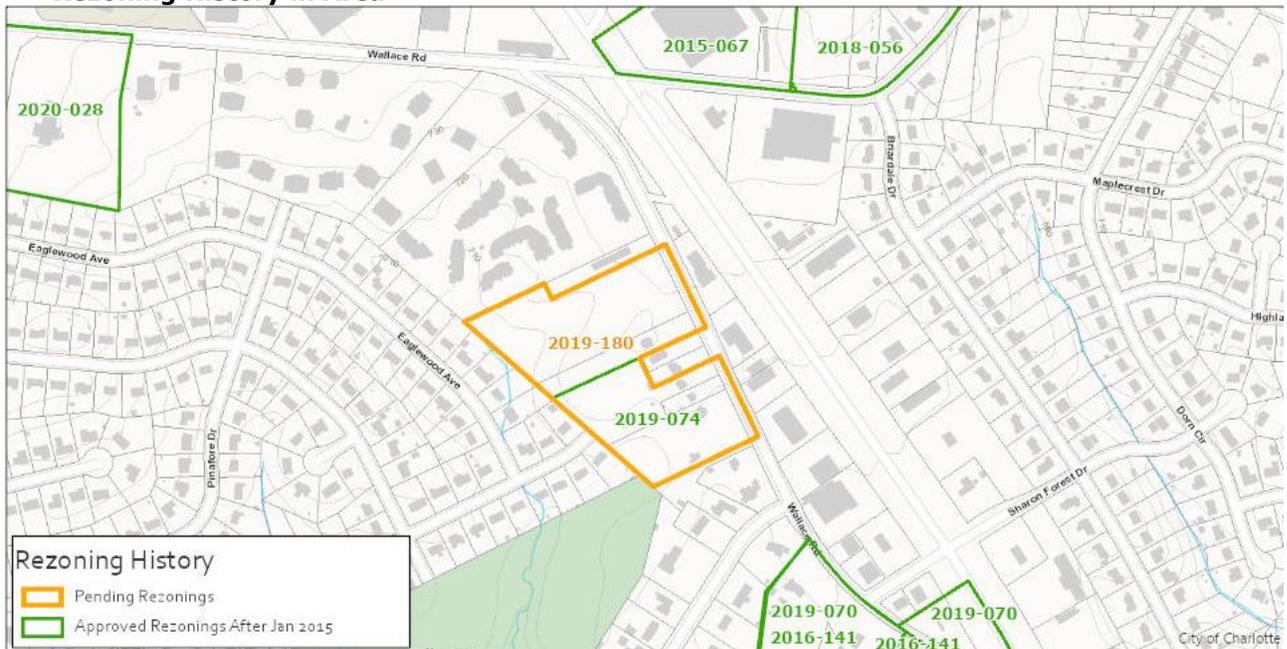


North of the site is an office use and multi-family residential uses.



In between the two larger portions of the site are two single family homes that front Wallace Road.

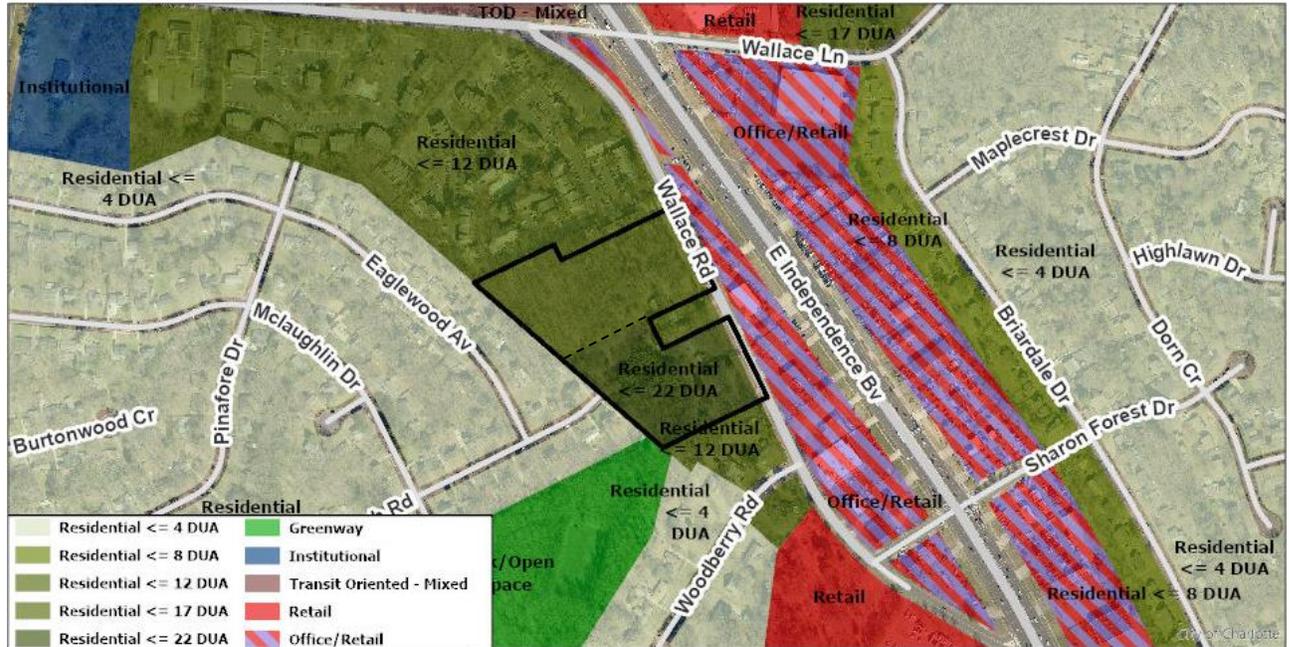
• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-067	Rezoned 4.24 acre to BD(CD) SPA to allow expansion of an existing self-storage/ indoor warehousing facility.	Approved
2016-141	Rezoned the majority of the subject site to B-2(CD) to allow automotive sales and repair uses.	Approved
2018-056	Rezoned 9.3 acres to UR-2(CD) to allow a townhome community with up to 119 units.	Approved
2019-070	Rezoned 42.41 acres to B-2(CD) SPA to amend a previously approved plan for an automotive dealership.	Approved
2019-074	Rezoned the southern 4-acre portion of the subject site to UR-2(CD) to allow up to 88 multifamily residential dwellings	Approved

2020-028	Rezoned 5.33 acres to INST to allow institutional uses.	Approved
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• **Public Plans and Policies**



- The *Independence Boulevard Area Plan* (2011) recommends residential development up to 12 units per acre for the northern portion of the site (above the dashed line), and the plan recommends residential development up to 22 units per acre for the southern portion of the site (below the dashed line) as amended by petition 2019-074.
- The Southeast Corridor Transit Study shifted the proposed alignment of the LYNX Silver Line just south of the site from the center of Independence Boulevard to the Monroe Road corridor.

• **TRANSPORTATION SUMMARY**

- The site is on Wallace Road (minor thoroughfare, city maintained) and is in a corridor outside Route 4. The site is within the limits of the Independence Boulevard Area Plan.

• **Active Projects:**

- South Pedestrian/Bike Independence Boulevard
  - This project will create a multi-modal facility south of and paralleling Independence Boulevard from the Briar Creek Greenway to Mason Wallace Park.
- Margaret Wallace Sidewalk
  - This project will construct new 6' sidewalk along the south side of Margret Wallace Road from Campbell Creek to Old Gate Drive to improve pedestrian access along the corridor.

• **Transportation Considerations**

- See Requested Technical Revisions, Note 2 & 3

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 70 trips per day (based on five single family dwellings).

Entitlement: 790 trips per day (based on 88 apartments and 27 single family dwellings).

Proposed Zoning: 1,095 trips per day (based on 201 apartments).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 30 students, while the development allowed under the proposed zoning may produce 51 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 21 students.

- The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
  - Rama Road Elementary from 95% to 99%
  - McClintock Middle from 130% to 131%
  - East Mecklenburg High from 101% to 102%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Wallace Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Wallace Road. No outstanding issues.
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**REQUESTED TECHNICAL REVISIONS**Site and Building Design

1. Label section E.1 on the rezoning site plan.

Transportation

2. Revise the site plan to add a note specifying dedication and fee simple conveyance of all rights of way to the City before the site's first building certificate of occupancy is issued.
  3. Revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.
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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** John Kinley (704) 336-8311